

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOHN DOE, ET AL.	§	
	§	NO. SA:17-CV-01195-OLG
vs.	§	(Lead Case)
	§	SA:18-CV-00067-OLG
LA VERNIA INDEPENDENT	§	(Consolidated Case)
SCHOOL DISTRICT	§	

**JOINT MOTION
TO EXTEND DEADLINES FOR BOTH PLAINTIFFS' RESPONSE TO
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND DEFENDANT'S
REPLY TO PLAINTIFF'S RESPONSE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME Plaintiffs and Defendant La Vernia Independent School District ("LVISD" the "District" or "Defendant"), and file this Joint Motion to Extend both Plaintiffs' Response to Defendant's Motion for Summary Judgment and Defendant's Reply to Plaintiffs' Response. In support thereof, Plaintiffs and the District respectfully show the Court the following:

I.

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, the Court has broad discretion to extend, for good cause, time limits for motions, including dispositive motions. FED. R. CIV. P. 6(b).

On January 15, 2021, Defendant filed its Motion for Summary Judgment along with Defendant's Unopposed Motion for Leave to File under Seal Defendant's Motion for Summary Judgment, Appendix, and Exhibits. (Dkt. No. 96). On January 19, 2021, the Court granted Defendant's Unopposed Motion for Leave to File Sealed Document. Pursuant to Local Rule CV-7 of the Court's Local Rules: "[a] response to a dispositive motion shall be filed not later than 14 days after the filing of the motion." Moreover, "a reply in support of a motion shall be filed not later than 7 days after the filing of the response to the motion."

Based on the Local Rule, Plaintiffs' Response is due February 2, 2021, which is fourteen (14) days from the date the Court granted Defendant's Unopposed Motion for Leave to File Sealed Documents. Defendant's Reply to Plaintiff's Response would be due February 9, 2021.

Plaintiffs and Defendant now request the Court allow the parties a ten (10) day mutual extension as to their Response and Reply deadline.

Plaintiffs assert that a (10) day extension is necessary due to a recent office move and an unexpected delay in operative internet and phone systems. This request is not submitted for purposes of delay, but so that justice may be done.

Plaintiffs request that the following deadlines be entered for Plaintiffs' Response to Defendant's Motion for Summary Judgment and for Defendant's Reply to Plaintiff's Response:

1. Plaintiffs shall file a Response to Defendant's dispositive motion on or before February 12, 2021.
2. Defendant shall file a Reply to Plaintiffs' Response on or before March 1, 2021.

Respectfully submitted,

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**Attorneys for Plaintiffs John and Jane
Doe as Next Friends of Child Doe, a
Minor, and John Doe 3 and Jane Doe 3,
as Next Friends of Child Doe 3, a Minor**

CERTIFICATE OF CONFERENCE

I certify that counsel for the parties in the above-styled action have conferred on this motion and are in agreement on the relief requested herein. There is no opposition to the filing and granting of this motion and order.

/s/ Fidel Rodriguez, Jr.

Fidel Rodriguez, Jr

CERTIFICATE OF SERVICE

I certify that on February 1, 2021, a copy of the foregoing document was served on all counsel of record in this civil action as follows:

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Via CM/ECF

**Attorneys for Defendant,
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/s/ Fidel Rodriguez, Jr